

## AMENDMENTS

### In the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A marking tape measure comprising:

a housing for containing a measuring tape therein, said housing comprising a top portion opposite a base portion and a front portion opposite a rear portion, said front portion comprising a generally convex, integral, marking portion extending therefrom generally perpendicular to said base portion, said marking portion and said housing comprised of magnesium ~~the same material~~, said marking portion material configured for leaving a nonpermanent mark upon a surface to be marked, wherein said marking portion extends downwards from a position forward of the junction between the base portion and the front portion; and

a measuring tape configured for extending from said housing front portion adjacent said marking portion, said measuring tape having measuring indicia thereon.

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (Canceled)

6. (Canceled)

7. (Canceled)

8. (Currently Amended) A marking tape measure comprising:

a housing for containing a measuring tape therein, said housing comprising a top portion opposite a base portion and a front portion opposite a rear portion, said front portion comprising an integral marking portion extending therefrom generally perpendicular to said base portion, said marking portion and said housing comprised of the same material, said marking portion configured for leaving a mark upon a surface to be marked, wherein said marking portion extends downwards from a position forward of the junction between the base portion and the front portion, where said marking portion is aligned with a cursor, said cursor for allowing said user to visually determine the location at which said mark will be made upon said surface; and

a measuring tape configured for extending from said housing front portion adjacent ~~[[aid]]~~said marking portion, said measuring tape having measuring indicia thereon.

9. (Currently Amended) The marking tape measure of claim 8, wherein marking portion and said housing ~~[[are]]~~comprise magnesium.

10. (Original) The measuring tape measure of claim 8, wherein said mark is nonpermanent.
11. (Original) The measuring tape measure of claim 8, wherein said marking portion is generally convex.
12. (Canceled)
13. (Currently Amended) A marking tape measure comprising:  
  
a housing for containing a measuring tape therein, said housing comprising a top portion opposite a base portion and a front portion opposite a rear portion, said front portion comprising a generally convex, integral, marking portion extending therefrom generally perpendicular to said base portion, said marking portion and said housing comprised of the same material, said marking portion configured for leaving a mark upon a surface to be marked; and  
  
a measuring tape configured for extending from said housing front portion adjacent [[aid]]said marking portion, said measuring tape having measuring indicia thereon.
14. (Original) The marking tape measure of claim 13, wherein marking portion and said housing comprise magnesium.
15. (Original) The measuring tape measure of claim 13, wherein said mark is nonpermanent.

16. (Original) The measuring tape measure of claim 13, wherein said marking portion extends downwards from a position forward of the junction between the base portion and the front portion.

17. (New) The measuring tape measure of claim 13, wherein said marking portion is aligned with a cursor, said cursor for allowing a user to visually determine the location at which said mark will be made upon said surface.

18. (New) The measuring tape measure of claim 1, wherein said marking portion is aligned with a cursor, said cursor for allowing a user to visually determine the location at which said mark will be made upon said surface.